

United States District Court
District of Maryland

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FEB 8 2021

Donald McDuffin Williams,

Plaintiff,

v.

Midwest Recovery System, LLC

Defendant

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Civil Action No. SAG-20-204

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

Motion For Default Judgment

Relief Sought

Donald M. Williams moves this court for entry of a default judgment against Midwest Recovery System, LLC, under Rule 55(b)(2) of the Federal Rules of Civil Procedure.

Grounds For Relief

The Court should enter the judgment requested against Midwest Recovery System, LLC, and in favor Donald Williams because:

1. On November 25, 2020, an order was issued staying this case for 30 days to allow Defendant time to arrange to have new counsel enter an appearance. ECF 17. That time has now expired, and an appearance has not been entered on behalf of Defendant. On December 30, 2020, this Court lifted the stay and allowed me to file a Motion for Default.

2. The Complaint in this action sets out a valid claim for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. By virtue of the default, Midwest Recovery System, LLC may not challenge any of the factual allegations supporting that claim.

3. Defendant was not in military service and is not an infant or incompetent as appears in the declaration of Donald M. Williams submitted herewith.

Wherefore, plaintiff moves that this court make and enter a judgment that is a sum less than \$85,000 against the Defendant for the following:

- A. Actual damages pursuant to 15 U.S.C. § 1692k
- B. Statutory damages pursuant to 15 U.S.C. § 1692k
- C. Costs pursuant to 15 U.S.C. § 1692k
- D. Compensatory and punitive damages for intentional infliction of emotional distress;
- E. For such other and further relief as may be just and proper.

January 23, 2021

Respectfully Submitted,
Donald M. Williams

Donald M. Williams
#62055-037

Federal Correctional Complex - Petersburg
P.O. Box 1000
Petersburg, Virginia 23804

Certificate of Service

I certify that a true and correct copy of the attached Motion For Entry of Default, together with all attachments, exhibits, and supporting papers, were sent by first-class U.S. mail in a properly addressed envelope with first class postage duly paid on January 23, 2021 to Midwest Recovery System, LLC at its last known address, which is:

Midwest Recovery Systems, LLC
514 Earth City Plaza
Ste. 100
Earth City, MO 63045

Donald M. Williams
Donald M. Williams #62055-037